


After reviewing the Objection to the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and after conducting a *de novo* review of those parts of the Findings, Conclusions, and Recommendation to which the Objection has been made, Plaintiff's Objection (doc. 19) is **OVERRULED**. The Court notes that while Plaintiff's filing is entitled "Objection to the Report and Recommendation," Plaintiff has not specified a portion of the report or any specific proposed finding or recommendation to which he objects. Plaintiff merely restates the facts and allegations previously considered by the Magistrate Judge and has not presented anything in the Objection which would render the analysis and conclusions made by the Magistrate Judge incorrect. The Court is of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge (doc. 18) are correct and they are accepted as the Findings of the Court.

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that Plaintiff's Federal Tort Claims Act claim is **DISMISSED** for want of jurisdiction and Plaintiff's *Bivens* claims are **DISMISSED WITH PREJUDICE** for failure to state a claim. See Fed. R. Civ. P. 12(h)(3), 12(b)(6).

SO ORDERED.

SIGNED January 12, 2009



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE